

JUDGE STEIN

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----x  
UNITED STATES OF AMERICA

INDICTMENT

-v.-

07 Cr.

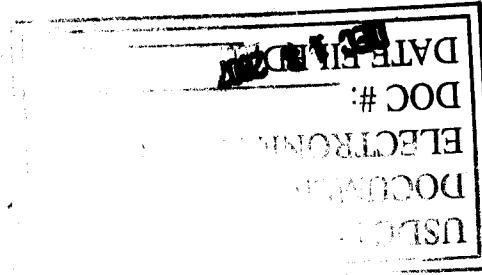
MICHAEL SMITH,

Defendant.

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COUNT ONE

The Grand Jury charges:

In or about November 2006, in the Southern District of New York and elsewhere, MICHAEL SMITH, the defendant, unlawfully, willfully, and knowingly, having devised and intended to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, any writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, on or about November 7, 2006, SMITH sent a facsimile from New York, New York to an office of the Federal Reserve Bank in Kansas City, Missouri, in which SMITH falsely represented himself to be a Director of the United Services



Automobile Association ("USAA") and sought to obtain access to the USAA's account with the Federal Reserve Bank.

(Title 18, United States Code, Sections 1343.)

Michael J. Garcia  
Foreperson

Michael J. Garcia  
MICHAEL J. GARCIA  
United States Attorney

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(18 U.S.C. § 1343)

MICHAEL J. GARCIA  
United States Attorney.

A TRUE BILL

Michael J. Garcia Foreperson.

12/13/07 Filed Indictment Case Assigned to  
Judge Stein  
& May Judge Latz